

# CINCINNATI POLICE DEPARTMENT



## STAFF NOTES

*Colonel Thomas H. Streicher, Jr., Police Chief*  
*May 20, 2003*

<u>ITEM</u>	<u>SUBMITTED BY</u>
1. <a href="#"><u>MOBILE DATA TERMINAL RETURNS</u></a>	CRIMINAL INVESTIGATION SECTION
2. <a href="#"><u>ELIMINATION OF THE MOBILE DATA TERMINAL (MDT) PROCEDURE FIELD MANUAL</u></a>	PLANNING SECTION
3. <a href="#"><u>HISPANIC OUTREACH PROGRAM</u></a>	TRAINING SECTION
4. <a href="#"><u>2003 OHIO CRIMINAL LAW HANDBOOK</u></a>	PLANNING SECTION
5. <a href="#"><u>REVISION OF PROCEDURE 13.112, ASSIGNMENT AVAILABILITY SELECTION PROCESS</u></a>	PLANNING SECTION
6. <a href="#"><u>REVISION OF PROCEDURES 12.536, FOOT PURSUITS, 12.550, DISCHARGING OF FIREARMS BY POLICE PERSONNEL, 12.600, PRISONERS: SECURING, HANDLING, AND TRANSPORTING, AND 13.100, FIELD TRAINING OFFICER PROGRAM</u></a>	PLANNING SECTION
7. <a href="#"><u>THANK YOU LETTER</u></a>	CHIEF'S OFFICE

**1. MOBILE DATA TERMINAL RETURNS**

Criminal Investigations Section (CIS) would like to remind officers to carefully check Mobile Data Terminal (MDT) returns on all persons queried. There have been several recent incidents of subjects who have been "flagged" by CIS investigators and no notifications were made to CIS to advise the subject had contact with the police. These subjects have an additional notation in their RCIC return for officers to contact the CIS desk officer so the subject can be brought in for questioning. This notation is usually just below the subject's criminal/traffic history.

The "flag" does not mean the subject is wanted, as they may only be a witness to a serious offense. If a subject is wanted or arrested on an original charge, investigators prefer to speak to these subjects prior to their transport to the Hamilton County Justice Center.

**2. ELIMINATION OF THE MOBILE DATA TERMINAL (MDT) PROCEDURE FIELD MANUAL**

The MDT Procedure Field Manual has been eliminated. During the last year, Police Communications Section has made periodic checks regarding the use of the Procedure Field Manual by Department personnel. They found that the Procedure Field Manual was not working properly or efficiently and was not being used by officers.

**3. HISPANIC OUTREACH PROGRAM**

The Police Academy is hosting a program called Hispanic Outreach. This pilot program, coordinated by the Academy in conjunction with the Criminal Investigation Section (CIS), is a modified Citizens Police Academy aimed at issues relative to the local Hispanic community. It will be held at the Police Academy from 6:00pm to 9:00pm on three consecutive Tuesday evenings beginning June 10, 2003. A copy of the flyer and application, in both English and Spanish, are [attached](#). Please distribute them to members of the Hispanic community you know who might be interested in attending. Direct any questions to either Cathy Boone, Police Academy, or Sergeant Sylvia Morales, CIS.

**4. 2003 OHIO CRIMINAL LAW HANDBOOK**

Planning Section has received the 2003 Ohio Criminal Law Handbook. The handbook is the most recent printing of the Ohio Revised Code.

Each district/section/unit should respond to Planning Section by June 3, 2003, to retrieve the allocated number of copies.

**5. REVISION OF PROCEDURE 13.112, ASSIGNMENT AVAILABILITY SELECTION PROCESS**

Procedure 13.112, Assignment Availability Selection Process has been revised. Section F.1. now states that personnel will be notified at least ten (10) days in advance of transfer unless there are extenuating circumstances.

This revision is effective immediately. All personnel are reminded to review this procedure in its entirety. Revised Procedure 13.112 is available on the Intranet and on the Department web page at [www.cincinnati-oh.gov/pages/-282-/](http://www.cincinnati-oh.gov/pages/-282-/).

**6. REVISION OF PROCEDURES 12.536, FOOT PURSUITS, 12.550, DISCHARGING OF FIREARMS BY POLICE PERSONNEL, 12.600, PRISONERS: SECURING, HANDLING, AND TRANSPORTING, AND 13.100, FIELD TRAINING OFFICER PROGRAM.**

Procedure 12.536, Foot Pursuits, has a minor revision in the policy section, additions of A.6 and B.3. and a revision to C.

Procedure 12.550, Discharging of Firearms by Police Personnel has revisions in paragraphs three and nine of the Information section, and revisions to B.3.a.1), and E.3.

Procedure 12.600, Prisoners: Securing, Handling, and Transporting has a revision in paragraph 3 of the Policy section.

Procedure 13.100, Field Officer Training Program has revisions in section H.3.b.1) and I.1.

These revisions are effective immediately. All personnel are reminded to review the procedures in their entirety. Revised Procedures 12.536, 12.550, 12.600 and 13.100 are available on the Intranet and on the Department web page at [www.cincinnati-oh.gov/pages/-282-/](http://www.cincinnati-oh.gov/pages/-282-/).

**7. THANK YOU LETTER**

[Attached](#) to these Staff Notes is a thank you letter from Tender Mercies written to the Police Chief for the professionalism displayed by several officers in District One.

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# HISPANIC OUTREACH

## THE CINCINNATI POLICE DEPARTMENT EXTENDS AN INVITATION TO THE LOCAL HISPANIC COMMUNITY

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### Your Invitation

You are invited to join us at the Cincinnati Police Academy for three evenings of education aimed at improving communication and mutual understanding.

This new Hispanic Outreach Program is a series of three gatherings to discuss issues of importance to both communities - the local Hispanic community and the Cincinnati Police.

Only your participation can ensure this pilot program is successful now and in the future.

Send your application today!

### HOW TO APPLY:

Simply complete the attached application and return it to the Cincinnati Police Academy.

Do you have questions? Don't hesitate to call us.

Call either Sergeant Sylvia Morales at 513-352-6977

or Cathy Boone at 513-357-7552.

### CALENDAR OF EVENTS

EVENING #1 – TUESDAY, JUNE 10, 2003

PLACE CINCINNATI POLICE ACADEMY

TIME 6:00 P.M. TO 9:00 P.M.

Tonight we will discuss:

“What to do when stopped by a police officer”

“How to Report Crimes”

“Crime stoppers Program”

EVENING #2 – TUESDAY, JUNE 17, 2003

PLACE CINCINNATI POLICE ACADEMY

TIME 6:00 P.M. TO 9:00 P.M.

Tonight we will discuss:

“Calling 9-1-1”

“Domestic Violence”

“Being a Victim of Fraud”

EVENING #3 – TUESDAY, JUNE 24, 2003

PLACE CINCINNATI POLICE ACADEMY

TIME 6:00 P.M. TO 8:00 P.M.

Tonight we will discuss:

“Community Involvement in Crime Prevention”

“Community Input Session”

Cincinnati Police Academy

Spinney Field Complex

800 Evans Street

Cincinnati, Ohio 45204

513-352-3562

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# ALCANCE (OUTREACH) HISPANO

**EL DEPARTAMENTO DE LA POLICIA DE CINCINNATI QUIERE  
EXTENDER UNA INVITACION PARA LA COMUNIDAD HISPANA**

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## SU INVITACION

Usted esta invitado para unirse con nosotros en la Academia de la Policia de Cincinnati para tres noches de educacion. El objetivo es para mejorar la comunicacion y tener un comun acuerdo.

Este programa es tres serie de reuniones para discutir asuntos de importancia para la comunidad Hispana y la Policia de Cincinnati.

Solamente su participacion puede asegurar que este piloto programa sea exitoso ahora y en el futuro.

## COMO APPLICAR:

Simplemente tiene que completar la applicacion adjunta y mandarla para la Academia de la Policia de Cincinnati.

Si tiene algunas preguntas por favor Llamar a Sargento

Sylvia Morales 513-352-6977 o Senorita Cathy Boone

513-357-7552.

## CALENDARIO DE EVENTOS

NOCHE #1 – MARTES, JUNIO 10, 2003

SITIO ACADEMIA DE POLICIA CINCINNATI

HORA 6:00 P.M. - 9:00 P.M.

Este noche discutiremos:

“Que hacer cuando la Policia lo pare”

“Como reportar un crimen”

“Programa Alto al Crimen”

NOCHE #2 – MARTES, JUNIO 17, 2003

SITIO ACADEMIA DE POLICIA DE CINCINNATI

HORA 6:00 P.M. - 9:00 P.M.

Este noche discutiremos:

“Llamar 9-1-1”

“Violencia Domestica”

“Victima de Fraude”

NOCHE #3 – MARTES, JUNIO 24, 2003

SITIO ACADEMIA DE POLICIA DE CINCINNATI

TIME 6:00 P.M. - 9:00 P.M.

Este noche discutiremos:

“Participacion de la comunidad en provencion del crimen”

“Sesion para sus comentarios”

Academia De Policia Cincinnati

Spinney Field Complex

800 Evans Street

Cincinnati, Ohio 45204

513-352-3562

## 13.112 ASSIGNMENT AVAILABILITY SELECTION PROCESS

### ***Reference:***

FOP/City Labor Agreement  
Procedure 13.110 - Assignment, Rotation and  
Transfer of Personnel

### ***Purpose:***

Provide an objective method of selecting officers for assignment availabilities.

Provide officers the opportunity to broaden their experience within these assignments and to emphasize the importance of uniformed patrol.

### ***Information:***

Assignment availability openings shall be categorized by job classifications in the following manner:

- Investigative Assignment
- Administrative Assignment
- Technical Assignment
- Patrol Support Assignment (i.e.; Neighborhood officer, bike patrol officer, traffic unit, canine squad, mounted squad)

### ***Policy:***

Select personnel for assignment availabilities in a fair and equitable manner and meet the needs of the Police Department.

Job criteria (service tenure, special skills, etc.) will be listed in the "Assignment Availability" vacancy notice.

***Procedure:*****A. Assignment Availability**

1. All district, section, and unit openings which fall under the above listed categories will be published in the Department staff notes.
2. When an applicable vacancy occurs within a district/section/unit, the district/section/unit commander will forward a written request to the Police Chief for approval to post a vacancy notice including the job description.
  - a. The Police Chief's Office will notify Police Personnel Section when a vacancy notice is to be posted.
    - 1) The vacancy notice will include the following information:
      - a) The expiration date for all applications, which will be 10 days after being published in the Staff Notes.
      - b) Minimum requirements designated by the district/section/unit commander and approved by the Police Chief.
    - 2) The posting and notice of assignment vacancies will conform with Article VIII (Publication of Assignment Availability) of the current FOP labor contract.
    - 3) After the closing date, Personnel Section will forward all applications received to the appropriate district/section/unit commander and the affected bureau commander.



- 4) Notice of a vacancy, or even the selection process, does not guarantee that a position will be filled. At any time during the process, the open position may be phased out or otherwise eliminated. The open position may also remain unfilled and open for an indefinite period.
- 5) Personnel Section will keep applications on file for one year.

B. Application for Vacancy

1. Personnel who feel they qualify for the assignment, and wish to be considered, will submit a completed Assignment Availability Application Form (Form 77).
2. Make all application forms in duplicate and process as follows:
  - a. Submit the original application directly to Personnel Section.
  - b. Submit the copy to the applicant's immediate supervisor.
    - 1) Supervisors and district/section/unit commanders will type appropriate comments on the application form.
    - 2) Forward the form 77 to Personnel Section through the normal chain of command.
3. Applications will not be accepted after the expiration date, unless there are exigent circumstances.
  - a. Personnel Section will keep the original application on file for tracking and future analysis.

C. Process for Selecting Police Officers, Specialists, Sergeants, and Lieutenants

1. The district/section/unit commander will review and consider the following mandatory information for each applicant:
  - a. Seniority
  - b. Diversity needs of the unit
  - c. "Employee Performance Profile"
    - 1) Personnel jacket information
    - 2) Internal Investigations Section Profile record of the past three years
  - d. Verification of information on application form
2. The district/section/unit commander or his/her designee will interview each applicant that meets the criteria.
3. The district/section/unit commander with the vacancy will make a recommendation to his bureau commander. The bureau commander will make a recommendation to the Police Chief.
  - a. Bureaus, districts, sections, and units may choose to perform other testing before making a recommendation for selection (e.g. physical agility test for canine handler, etc.)
  - b. The bureau/district/section/unit commander may recommend a different officer.
4. The Police Chief has final review authority and will make all selections. He will notify Personnel Section when the selection is made. All applications will be returned to Personnel Section.
  - a. Personnel Section will immediately notify the affected district/section/unit commander and the officer selected.

- b. Personnel Section will note all transfers in the Personnel Jacket of the affected officer.
- 5. Nothing in this selection process prohibits the Police Chief from selecting any officer to fill the vacancy.
- D. District/section/unit internal transfers
  - 1. Districts/sections/units may make internal transfers only upon approval of the Police Chief.
    - a. The district/section/unit commander will post the assignment availability as outlined in section A.2.
    - b. District/section/unit commanders must notify the Personnel Section of all internal transfers by forwarding a Form 17 to the Personnel Section Director.
- E. Effect of Promotions
  - 1. Any specialist or police officer promoted to sergeant will serve one year in a district, uniformed, shift/squad capacity before applying for an assignment, unless otherwise directed by the Police Chief.
- F. Transfer Notices
  - 1. Personnel will be notified at least ten days in advance of a transfer unless there are extenuating circumstances.

Procedure 12.140 - Canine Operations  
 Procedure 12.175 - Use of Special Weapons and  
                     Tactics Unit  
 Ohio Revised Code 2921.31 - Obstructing Official  
                                 Business  
 Ohio Revised Code 2921.331 - Failure to Comply with  
                                 Order or Signal of  
                                 Police Officer  
 Illinois v. Wardlow (2000), 528 US 119  
 Terry v. Ohio (1968), 392 US 1

**Foot Pursuit:** A situation in which an officer, on foot, chases a suspect in an effort to detain or arrest that individual who he has reasonable suspicion to believe is about to commit, is committing or has committed a crime and who is resisting apprehension by fleeing from the officer.

**Contact/Cover:** Describes the practice of having two or more officers working together during a foot pursuit. The officers work in unison via direct or indirect communication to coordinate their efforts, remain aware of the locations of officers and suspects, and keep abreast of the status of the pursuit.

To facilitate the safe apprehension of a suspect who flees on foot and to prevent officer injury.

Whenever an officer decides to engage, or continue to engage, in a foot pursuit a quick risk assessment must take place. They must evaluate the risk involved to themselves, to other officers, the suspect and the community versus what would be gained from pursuing the suspect.

***Procedure***

- A. Factors to Consider when Initiating a Foot Pursuit
  - 1. Whether the suspect is armed
  - 2. The offense committed by the suspect
  - 3. Location:
    - a. Nature of area: residential, commercial, school zone, expressway, etc.
    - b. Conditions of the structures: abandoned or condemned
    - c. Environmental factors: weather or darkness
  - 4. Ability to apprehend the suspect at a later date
  - 5. Communications
    - a. Familiarity with area, ability to transmit location of fleeing suspect
    - b. Radio frequency and coverage (dead spots)
  - 6. Availability of backup units to assist
- B. Pursuing Officer(s) Responsibility
  - 1. The decision to initiate or continue a foot pursuit requires weighing the need to apprehend the suspect against the degree of risk to which the officer and others are exposed as a result of the pursuit.
  - 2. Once the foot pursuit has been initiated, the officer must notify Police Communications Section (PCS) of the following information:
    - a. Car number
    - b. Location
    - c. Direction
    - d. Description of suspect

- e. If armed with a weapon
- f. Reason for foot pursuit
- 3. PCS will notify a supervisor of the pursuit circumstances and any other relevant information.
- 4. The pursuing officer will coordinate with other officers to establish a perimeter in the area to contain the suspect.
  - a. In the event that a suspect is confined in an area, consideration should be given to the use of specialized units such as Canine Squad or SWAT Unit.
- C. If possible, officers should consider the feasibility of the following strategies or tactics prior to initiating foot pursuits:
  - 1. Area containment
  - 2. Surveillance
  - 3. Obtaining additional officers
- D. Police Officer should Terminate a Foot Pursuit:
  - 1. If ordered by a supervisor.
  - 2. If the officer believes that the danger to the pursuing officers or the public outweighs the necessity for immediate apprehension of the suspect.
  - 3. If the suspect's identity is known and he is not an immediate threat to the safety of the public or other officers, consider terminating the pursuit and apprehend at a later date.
  - 4. After termination of the foot pursuit, officers will notify Police Communications Section (PCS) with the last know location of suspect or point of apprehension.

E. Supervisor's Role

1. The supervisor's role is to monitor a foot pursuit and appropriately direct resources to safely apprehend the suspect.
2. The supervisor will terminate a foot pursuit at any time if it is determined the danger to the pursuing officers or the public outweighs the necessity for immediate apprehension of the suspect.

## 12.550 DISCHARGING OF FIREARMS BY POLICE PERSONNEL

### **Reference:**

Manual of Rules and Regulations - 1.23, 1.24, 1.25  
 Ohio Revised Code Section 2901.01  
 Procedure 12.545 - Use of Force  
 Procedure 19.105 - Sick/Injured With Pay & Special Leaves  
 Tennessee vs. Garner, 471 US 1 (1985)  
 Standards Manual - 1.3.2, 1.3.3, 1.3.6, 1.3.7

### **Policy:**

The most serious act in which a police officer can engage is the use of deadly force. The authority to carry and use firearms in the course of public service also carries with it the highest level of responsibility. Respect for human life requires that police officers exhaust all other reasonable means before resorting to the use of firearms and then only when an officer reasonably believes that such use of firearms is necessary to protect the officer or another from the risk of serious physical harm or loss of life.

In considering the use of firearms, understand that you are responsible for your acts and that you may be required to justify your acts in a court of law. The Hamilton County Prosecutor's Office will determine the legality of actions taken. You are not required to retreat in lieu of the justifiable use of deadly physical force.

The safety of innocent persons is of paramount importance. Where there is substantial risk to the safety or life of an innocent citizen, the safety of the citizen should take precedence over the apprehension of the suspect.

Police officers may not use deadly force merely to prevent escape in misdemeanor cases. The use of deadly force to prevent escape of felony suspects is constitutionally unreasonable except where the escape presents an immediate risk of death or serious physical harm to another.

Where the suspect poses no immediate threat of death or serious physical harm to others, the harm resulting from failing to apprehend him does not justify the use of deadly force to do so. If an officer uses unnecessary and/or excessive force, or acts wantonly and maliciously, he could be found guilty of assault, even of culpable homicide if he kills the person he is attempting to arrest.



At such time as a police officer perceives what he interprets to be a threat of loss of life or serious physical harm to himself or others at the hands of another, he has the authority to display a firearm, **with finger outside the trigger guard** and have it ready for self-defense. **The finger is only to be placed on the trigger when on target and ready to engage a threat.**

Self-Defense: A police officer is authorized to use that force reasonably necessary to protect himself or others from death or serious physical harm at the hands of another.

- There must be an apprehension of real or immediate danger based on an overt and/or constructive act by another.

Warning Shots: Officers should only use warning shots if convinced a warning shot will possibly save a life or alleviate the need of taking a life. As with any shot an officer fires, the officer must know it will not endanger innocent bystanders. Supervisors should report and investigate warning shots as outlined in Section A.

Felonies: When all other reasonable means at the officer's disposal have failed, the use of firearms is authorized, only under the following circumstances, as a last resort to apprehend a fleeing felon:

- The officer has probable cause to believe the suspect has committed or is committing a felony, and
- The suspect presents an immediate risk of death or serious physical harm, either to the officer or another person if not immediately apprehended.
  - If possible, the officer will give verbal warning before using the firearm.
  - By itself, notification by Police Communications Section (PCS) resulting from a general information broadcast or computer query that a subject is wanted will not provide authority for the police officer to use a firearm.

All Other Felonies and Misdemeanors: In all other felonies or misdemeanors, police personnel will not fire shots even if the perpetrator attempts or succeeds in his attempt to flee.

Juveniles: A police officer will not discharge a firearm at a person known to be or suspected of being a juvenile (person less than 18 years of age) except under circumstances which come within the provisions of the self-defense policy.

**Moving Vehicles: Officers shall not discharge their firearms at a moving vehicle or its occupants unless the occupants are using deadly physical force against the officer or another person present, by means other than the vehicle.**

Shots Fired at Animals: An officer will use firearms only as a last resort or for protection of himself or others. Often, firing a shot at an animal will create a more dangerous situation than the animal itself. If possible, use one of the following alternative solutions:

- Call the Society for the Prevention of Cruelty to Animals (SPCA). This organization has equipment to handle most animals safely.
- In some instances, Cincinnati Zoological Society personnel will respond upon request.
- The use of department issued chemical irritant is effective on many animals.

***Information:***

The Police Chief has authorized a comprehensive review of critical firearm discharges by Department employees. A Critical Firearm discharge is defined as:

All shots fired by Department employees with the exception of:

- a) Beanbag Rounds
- b) Forty-millimeter foam rounds
- c) At Animals
- d) While Hunting
- e) Training Accidents when proper safety procedures were followed

The review will begin at the Police Chief's direction. If a criminal investigation is warranted, the review will commence after the completion of any criminal investigation or court proceedings into the matter.

To facilitate this process, the Police Chief has established a Firearm Discharge Board (FDB) to conduct all such reviews. The Board's review will include CIS and IIS investigative files and interviews of the principal CIS and IIS investigators. The review will be concluded within 90 days of commencement. The FDB will act as a quality control mechanism for all critical firearm discharges, with responsibility to return to the Police Chief all incomplete or mishandled shooting or firearm discharge investigations. The FDB will have the authority and responsibility to recommend to the Police Chief investigative protocols and standards for all critical firearm discharge investigations.

The core members of the board will consist of a CPD Command Staff Officer, the Director of Training, the affected Bureau Commander, the Police Department Advocate and an attorney from the Solicitor's Office. All appointments will occur on or about the first day of January and be effective for one year.

The Inspections Section Commander will serve as the chairperson of the FDB. The chairperson is responsible for coordinating all meetings and ensuring all relevant material compiled during any criminal or administrative investigation is reviewed. The chairperson is also responsible for submitting a written report to the Police Chief within the established timelines.

The Police Chief may appoint additional FDB members as needed. The Police Chief will appoint a replacement member in the event a board member retires, or is no longer able to fulfill membership duties. The Police Chief may disqualify a FDB member at anytime.

All efforts will be made to conclude reviews within the established timelines. If the Police Chief determines extenuating circumstances exist, the Police Chief may extend the established timelines.

Proceedings by the FDB are to be conducted informally, directed towards the issues of the appropriateness of Department policies and procedures, member's judgement, and the training adequacies with respect to the member's knowledge, skill, and resources. The chairperson will determine what evidence is relevant and reliable without regard for technical or formal rules of evidence. The chairperson will determine the need to call witnesses and may order witnesses to be separated during the review.

The chairperson will prepare a final report to the Police Chief that will become part of the investigation file. The report will include a description of the incident (including all uses of force), a summary and analysis of all relevant evidence, proposed findings and analysis to support those findings. In particular, the board will determine: a) whether all uses of force during the encounter were consistent with Department policy and training, b) whether the officer(s) involved employed proper tactics, and c) whether lesser force alternatives reasonably were available.

On or before the first day of February, the FDB chairperson will prepare and present to the Police Chief a summary report reviewing each closed critical firearm discharge from the preceding year. This report will include analysis of patterns and problems discovered during the review.

***Procedure:***

**A. Shots Fired**

1. Report all shots fired by police personnel to an on-duty supervisor immediately regardless of the circumstances. Personnel having knowledge of a shot fired by another officer will report the incident to an on-duty supervisor immediately. This includes:
  - a. Shots fired at or taking effect against an individual.
  - b. Warning shots.
  - c. Shots fired at animals.
  - d. Accidental discharges.
  - e. Shots fired from any firearm by off-duty personnel except:
    - 1) Target or competition shooting.
    - 2) Hunting.
    - 3) Military service.

2. Personnel are not required to report shots fired while participating in department authorized firearms training.
  3. The investigating supervisor will notify PCS.
  4. PCS will notify the appropriate personnel on the Situational Occurrences Notification List.
- B. Shots Fired at Individuals and Accidental Discharges
1. The investigating district/section/unit supervisor will:
    - a. Ensure protection of the scene.
    - b. Notify PCS.
      - 1) PCS will notify the Criminal Investigation Section (CIS) Desk Officer who will make CIS notifies according to CIS SOP and then notify the appropriate personnel listed on the Situational Occurrences Notification List.
    - c. No one will take the officer(s') pistol or gunbelt at the scene. The officer(s') pistol will remain in his holster and the officer will wear his gunbelt until possession is transferred to a Homicide Unit supervisor.
      - 1) Under no circumstances will the officer(s') pistol be examined or unloaded. If safety is an issue, a Homicide Unit supervisor will be immediately contacted for instructions.
      - 2) If an officer(s) is transported to the hospital for treatment, a district/section/unit supervisor will respond and take possession of the officer(s') pistol and gunbelt. That supervisor will document date, time, location, and from whom the officer(s') equipment was obtained and contact a Homicide supervisor.

- 3) A supervisor will be assigned to take control of the officer(s) involved in a shots fired that take effect. They will remain at the scene. At the direction of a Homicide supervisor, district supervisor(s) will transport the involved officer(s) to CIS and remain with the officer(s) until relieved by a CIS supervisor.
    - a) No one will be permitted access to the officer(s') pistol or gunbelt without the approval/consent of a Homicide supervisor.
    - b) When multiple officers are involved, a separate supervisor will be assigned to each officer. If there is a need, request a supervisor(s) from another district(s).
  - d. Locate witnesses to the incident. If possible, separate the witnesses and have them held at or near the scene until they have conferred with a Homicide Unit supervisor or a Personal Crimes Unit supervisor. Ensure their transportation to CIS for interview by CIS and Internal Investigation Section (IIS).
  - e. Conduct a preliminary fact finding investigation at the scene.
    - 1) Do not publicly comment about the propriety of the action taken.
  - f. Brief Homicide Unit and IIS investigators.
2. The CIS Commander, Homicide Unit Commander, Personal Crimes Unit Commander, and IIS Commander will respond to the scene. The Homicide Unit Commander and IIS Commander will conduct independent, parallel investigations of the incident. The involved officer(s') unit of assignment will assist CIS and IIS with the investigation. The Major Offenders Unit Commander will respond to the hospital or Coroner's office if an injury or death has occurred.

3. Homicide Unit/IIS investigators will:
    - a. Conduct an investigation and report per their standard operating procedure (SOP). All investigations will include, to the extent possible, appropriate crime scene analysis, gunshot residue tests, and ballistic tests including bullet trajectory tests.
      - 1) Investigators will ensure, to the extent possible, that the investigation accounts for all shots and the locations of all officers who discharged their firearms.
    - b. Collaborate in preparing a Form 18F, Supervisor's Use of Force Investigation, without a conclusion, with Internal Investigations Section completing the Form 18F.
      - 1) The original Form 18F will remain with the involved officer's unit of assignment.
    - c. Immediately fax the Form 18F to the following locations:
      - 1) Police Chief's Office
      - 2) Internal Investigations Section
      - 3) Patrol Bureau
  4. The district/section/unit commander or acting commander will respond to the scene and coordinate the activities of the field personnel at the scene.
  5. IIS will respond and coordinate the Department investigations.
- C. Shots Fired at Animals
1. Notify PCS.
    - a. PCS will notify the appropriate personnel on the Situational Occurrences Notification List.
  2. The investigating district/section/unit supervisor will complete a Form 18A, Supervisor's Preliminary Investigation: Weapons Discharge at an Animal.

- a. Fax the Form 18A to Inspections Section.
- 3. If the shots take effect, notify the SPCA to pick up the dead animal pending a later examination by the Board of Health.
- D. Personnel Injured by Department Authorized Firearms During Training Exercises
  - 1. The OIC will immediately notify PCS.
    - a. PCS will notify the appropriate personnel on the Situational Occurrences Notification List.
      - 1) The command officer notified will determine IIS involvement.
  - 2. A Firearms Training Unit supervisor will investigate all firearms related, non-serious harm injuries:
    - a. That occur during firearms training.
    - b. Where all safety rules and procedures have been followed.
 

Example: A person is struck and injured by a piece of lead that has blown back from a target.
    - c. For reporting, refer to Procedure 19.105, Section E., Personnel Injured On Duty.
    - d. A Firearms Training Unit supervisor will immediately notify PCS for Situational Occurrences Notification and the Training Section Director of injuries which require medical attention at a hospital.
  - 3. Life threatening or serious injuries, injuries due to intentional acts, or injuries that occur as a result of violations of safety rules and/or procedures:
    - a. Follow Section B. of this procedure.
    - b. If the incident occurs outside of the city limits, the criminal investigation will be made by the law enforcement agency in whose jurisdiction the incident occurred.
    - c. CIS may assist the law enforcement agency in its investigation.



#### E. Firearms Discharge Board

1. The Police Chief will review and forward to IIS the CIS investigation report, letter from the Hamilton County Prosecutor, and any other material deemed relevant to the Firearms Discharge Board (FDB). The FDB will issue its final report to the Police Chief within 90 days of receipt of the material.
2. Within 30 days of receipt of the material, the IIS Commander will notify and arrange a meeting between the FDB, CIS Commander, and investigators.
3. Recommendations made by the FDB should be unanimous or by consensus. If consensus can not be reached, a majority/minority opinion will be prepared at the direction of the chairperson. The report presented by the FDB will identify training issues, outline any recommended policy and/or procedure changes, and identify individual officer training needs and corrective measures. References to specific policies, procedures, or training will be included in all recommendations.

#### F. Loading and Unloading of Firearms for Inspection

1. Maintain a distance of 15 feet from the designated safe wall when unloading a firearm.
2. The OIC will give the command to form a line facing the safe wall and for officers to unload firearms at the same time. Firearms will be pointed towards the safe wall while unloading.
3. Once the firearm has been inspected, the OIC will give the command to reload.

## 12.600 PRISONERS: SECURING, HANDLING, AND TRANSPORTING

### ***References:***

Procedure 12.545 - Use of Force  
 Procedure 12.555 - Arrest/Citation: Processing of  
                                 Adult Misdemeanor and Felony  
                                 Offenders  
 Procedure 12.610 - Prisoners: Guarding Hospitalized  
 Procedure 12.900 - Processing Juvenile Offenders  
 Procedure 18.120 - Standards for Releasing  
                                 Information to the News Media  
 Ohio Revised Code 2933.32 - Body Cavity and Strip  
   Searches; Conducting  
   Unauthorized Search;  
   Failure to Prepare  
   Proper Report  
 Standards Manual - 11.2.8, 41.3.3, 44.2.2, 46.1.3,  
                                 71.1.1, 71.1.2, 71.1.3, 71.1.4,  
                                 71.1.5, 71.1.6, 71.1.7, 71.1.8,  
                                 71.2.1, 71.3.1, 71.3.2

### ***Definitions:***

**Body Cavity Search** - an inspection of the anal or vaginal cavity of a person that is conducted visually, manually, by means of any instrument, apparatus, or object, or in any manner while the person is detained or arrested for the alleged commission of a criminal or traffic offense.

**Strip Search** - an inspection of the genitalia, buttocks, breasts, or undergarments of a person that is preceded by the removal or rearrangement of some or all of the person's clothing that directly covers the person's genitalia, buttocks, breasts, or undergarments and that is conducted visually, manually, by means of any instrument, apparatus, or object, or in any manner while the person is detained or arrested for the alleged commission of a criminal or traffic offense.

**Policy:**

Arresting officers will immediately transport to University Hospital any prisoner 13 years of age or older who is suspected of putting in their mouth, swallowing or attempting to swallow evidence or contraband. Those under the age of 13 will be transported to Children's Hospital. In all such cases a supervisor will be notified.

Arresting officers must maintain control of prisoners until relieved by a supervisor, Hamilton County Sheriff, or other law enforcement agency. Immediately notify a supervisor when prisoners have visible or claimed injuries, or when any Hamilton County detention facility refuses admission.

Investigating supervisors will ensure that all officers who witnessed a use of force or injury to prisoner provide a statement regarding the incident. The investigating supervisor will ensure that all use of force reports and injury to prisoner reports identify all officers who were involved in the incident or were on the scene when it occurred. The investigating supervisor will ensure that all use of force and injury to prisoner reports indicate whether medical care was provided, and whether the subject refused medical treatment.

Arresting officers are responsible for minor and adult dependents of physically arrested persons. Physically or mentally impaired adults are examples of adult dependents. Arrested persons can advise with whom they want their dependents placed. Record the location of minor or adult dependents in the district or unit blotter.

Call the Hamilton County Department of Job and Family Services when unable to place dependents with responsible adults.

For minors, call 241-KIDS.

For dependents 18 and over, call 421-LIFE.

General principles of tort law impose a duty of care on the transporting officer to protect the prisoner from injury. Officers transporting prisoners will not become involved in any other activity unless there is a clear and grave risk to a third party and the risk to the prisoner is minimal. Officers should always be aware of intentional diversions that may be used to free a prisoner.

When transporting prisoners to another agency, the transporting officer will notify that agency when the prisoner is considered an unusual security risk. The transporting officer may request the receiving agency provide additional restraints or officers.

Prisoners being transported will not be permitted to have communication with others until secured at an appropriate facility.

**Procedure:**

**A. Handcuffing**

1. When possible, handcuff all prisoners with their hands behind their back. Apply handcuffs between the hand and protruding wrist bone with the prisoner's palms facing out. Have the keyholes facing up.
  - a. Apply handcuffs directly over the skin. Never apply them over clothing or jewelry. They should be reasonably snug and double locked.
2. When necessary, handcuff physically handicapped, injured, or pregnant prisoners in front.
  - a. Two officers will transport a prisoner handcuffed in front of the body.
3. When handcuffing two prisoners together, use the right wrist to right wrist or left wrist to left wrist method.
  - a. Do not handcuff male prisoners to female prisoners or adults to juveniles except in emergency arrest situations.
4. Remove handcuffed persons from public view as soon as possible.
5. For officer safety, it may be necessary to temporarily handcuff citable prisoners or persons under investigation.
6. On a case by case basis, officers are permitted to temporarily remove handcuffs for various reasons:
  - a. Seriously injured and requiring medical treatment.

b. Interviewing and processing (prints/DUI)

- 1) Prisoner will be thoroughly searched prior to removal of handcuffs.
- 2) Two officers will remain with prisoner(s) not handcuffed.

7. When transferring a prisoner from one set of handcuffs to another, keep the original handcuffs on until placing the next set of handcuffs on the prisoner next to the first set with the handcuff keyholes accessible.

B. Prisoner Searches

1. Thoroughly search all handcuffed prisoners from the rear.
  - a. If possible, have prisoners empty their pockets and turn them inside out to avoid contacting IV needles or other sharp objects.
2. Transporting officer(s) will conduct an additional search of prisoners.
3. Whenever possible, use female officers to search female prisoners and male officers to search male prisoners.
  - a. If necessary, handcuff opposite sex prisoners and watch them until an officer of the same sex arrives to complete a detailed search.
  - b. When opposite sex searches must occur, limit the search to finding weapons.
    - 1) Use the blade edge of the hand.
    - 2) Retrieve weapons immediately from any body area when there is immediate danger.
4. Strip searches and body cavity searches
  - a. Perform a strip or body cavity search only when there is probable cause to believe the prisoner is concealing evidence, contraband, or weapons.

- b. A supervisor must approve and sign a Form 602, Search Authorization, before:
  - 1) A police officer conducts a strip search.
  - 2) A search warrant for a body cavity search is sought.
- c. Only officers of the same sex will conduct strip searches.
- d. Only one officer will conduct a strip search.
  - 1) Have an officer just outside the view of the search in case the searching officer needs help.
  - 2) The officer conducting the search will not, under any circumstances, insert their finger or any other instrument into a prisoner's orifice during the strip search.
  - 3) If, while conducting a strip search, the officer visually observes what is believed to be contraband partially protruding from the prisoner's orifice (vagina or anal cavity), the officer will request that the prisoner remove the object.
  - 4) If the prisoner refuses to remove the object, the officer will not attempt to remove it. A body cavity search warrant will be required to recover the contraband.
  - 5) The officer who observed the contraband in a prisoner's orifice should immediately end the strip search and follow the guidelines for a body cavity search. See Section B.4.f. of this procedure.
- e. After transporting prisoners to the Hamilton County Justice Center (HCJC), officers will advise the Hamilton County Sheriff's Deputies when they believe a prisoner is concealing contraband in an orifice or other areas of the genitalia.

- 1) Hamilton County Sheriff's Deputies maintain a list of offenses for which they routinely conduct strip searches.
  - 2) Division personnel must have an approved Form 602 prior to requesting Sheriff Deputies to conduct a strip search.
- f. After getting a search warrant for a body cavity search, respond to University Hospital to conduct the actual search.
- 1) University Hospital's policy is to perform a body cavity search or stomach pumping only for medical reasons with the patient's consent. The hospital will give the recovered evidence to the police if the patient abandons it.
  - 2) A doctor, registered nurse, or practical nurse licensed by the State of Ohio must perform the body cavity search. No one is permitted to witness the search.
  - 3) If the prisoner refuses to allow the body cavity search, and for that reason the medical professional refuses to retrieve the contraband, the officer will:
    - a) Notify a supervisor.
    - b) Consider charging the prisoner with Tampering With Evidence (ORC 2921.12(A)(1)) and/or Obstructing Official Business (ORC 2921.31(A)).
    - c) List the medical professional on the Form 527, Arrest and Investigation, as a witness to the presence of the contraband if they saw it.
    - d) Transport to the appropriate detention facility and advise the processing personnel as to the circumstances surrounding the prisoner.

- 4) If the prisoner consents and the medical professional refuses to conduct the body cavity search, notify the Duty Officer or Night Chief for further instructions.
- g. Officers transporting prisoners to Juvenile Detention will not attempt to conduct a strip search within that facility.
- 1) After transporting prisoners to Juvenile Detention, officers will advise the detention facility employee when they suspect a prisoner is concealing contraband in an orifice or other areas of the genitalia.
  - 2) The detention facility employee will notify the Supervisor on Duty (SOD), who will respond and make the final decision as to whether to conduct a strip search of the prisoner.
    - a) The officer must be able to adequately articulate to the SOD probable cause to justify a strip search.
  - 3) If the SOD refuses to authorize a requested strip search, the requesting officer will advise an on duty district/section/unit supervisor, who will evaluate the circumstances and complete a Form 17 Incident Report if it is believed the refusal was unwarranted.
    - a) The SOD is required to complete an Incident Report to the Juvenile Detention facility superintendent whenever they refuse to conduct a requested strip search.
- h. After strip or body cavity searches, the officer who conducted the strip search or authorized the body cavity search must give the person searched a completed copy of the Form 602.



- i. Immediately forward the original Form 602 to the Police Chief.
  - 1) Inspections Unit files the original.
  - 2) The originating unit files a copy.
- 5. Persons in custody suspected of swallowing or attempting to swallow evidence or contraband.
  - a. Chemical irritant is the primary response to prevent persons from swallowing evidence or contraband.
    - 1) The use of choke holds to prevent swallowing of evidence or contraband is strictly prohibited.
  - b. Immediately transport any subject 13 years of age and older suspected of putting in his mouth, swallowing or attempting to swallow evidence or contraband to University Hospital.
    - 1) University Hospital's policy is to perform a body cavity search or stomach pumping only for medical reasons with the patient's consent. The hospital will give the recovered evidence to the police if the patient abandons it.
      - a) If unable to gain consent, a supervisor will determine the proper course of action.
  - c. Immediately transport any persons arrested under 13 of age suspected of putting in their mouth, swallowing or attempting to swallow evidence or contraband to Children's Hospital.
    - 1) Children's Hospital policy is to perform stomach pumping only for medical reasons with or without parental consent. The hospital will give the recovered evidence to the police if the patient abandons it.

C. Holding/Interviewing Prisoners in Police Facilities

1. Do not use police facilities as jails or holding cells.
  - a. Use interviewing rooms for processing and interviewing persons or prisoners on official police business.
    - 1) Never leave prisoners alone.
2. The district/section or unit officer in charge (OIC) and desk personnel will remain informed about prisoners in their station. They will:
  - a. Provide pertinent information when answering phone calls about prisoners in custody, or previously in custody.
    - 1) Refer to Procedure 18.120, Release of Information and Public Records, for guidelines in releasing prisoner information to the public.
    - 2) When callers need more information, refer them to HCJC Intake or Juvenile Detention.

D. Transporting Prisoners

1. All prisoners subject to physical arrest will be transported to the appropriate facility.
  - a. Use the transport command (TR) on the MDT and enter the location to where the prisoner is being transported in brackets [ ] not parentheses ( ), and enter the start mileage when beginning transportation. Upon arrival, use the transport complete command (TRC), and enter the ending mileage.

Example: TR [HCJC], start mileage 12345  
TRC, end mileage 12348
  - b. Receive permission from a supervisor before transporting prisoners to any hospital, or other non-police facility.

- c. Arresting officers involved in a use of force, other than a simple use of chemical irritant, will not transport prisoners who are subjects of the force.
  - 1) Officers may remove a prisoner to a safe location to prevent an escalation of the incident. Neutral officers will respond and transport the prisoner.
- 2. When arresting officers cannot transport their own prisoners, they must provide transporting officers the completed paperwork or at least the minimum following information:
  - a. Name, badge number, and unit of the arresting officer
  - b. Specific charge(s) placed against the prisoner
- 3. When possible, two officers will transport prisoners incapacitated from intoxication or injury to prevent falls or additional injury.
- 4. Two officers will transport prisoners on stretchers. The second officer will ride in the rear to monitor the prisoner and to give or summon medical aid if necessary.
  - a. Whenever possible, officers will place the prisoner on their back to avoid positional asphyxiation and/or cocaine psychosis.
- 5. Never leave prisoners unattended inside vehicles.
- 6. Search seating areas of transporting vehicles before and after each prisoner transportation.
- 7. Use marked police vehicles equipped with screens when available.
  - a. In vehicles with security screens, transport single prisoners on the right side of the rear seat.
  - b. Use the seat belt or lap belt whenever possible.

- c. Engage the rear door and window locking system on vehicles having this option.
  - d. Secure sliding partition in vehicles equipped with plexiglas rather than metal mesh dividers.
- 8. One officer may transport two prisoners provided the vehicle is equipped with a security screen and both prisoners are secured in the rear seat with seat belts.
  - a. No more than two prisoners will be transported in any one Department vehicle, with the exception of the Personnel Transport Van stored at District One.
- 9. Do not transport more than one prisoner in a vehicle without a security screen.
  - a. When transporting in vehicles without screens, use two officers. The second officer sits in the rear seat behind the driver with the prisoner to their right.
- 10. Personnel Transport Van
  - a. Districts/sections/units can borrow the Personnel Transport Van parked in the 14th Street lot behind District One.
    - 1) Request the keys from a District One shift supervisor.
    - 2) Make a blotter entry at District One showing the:
      - a) Operating officer and unit of assignment.
      - b) Date, time, and expected return.
      - c) Reason for using the vehicle.
  - b. Notify the HCJC when expecting physical arrests numbering 20 or more.

## 11. Hamilton County Sheriff's Patrol Wagon

- a. Request the Hamilton County Sheriff's Patrol Wagon in advance when expecting numerous physical arrests at planned events.

- 1) Call the HCJC Intake supervisor to request the wagon.

## 12. Upon arrival at the appropriate detention facility, officers will:

- a. Secure firearms for safekeeping either in the provided lock box or the trunk of the police vehicle.
- b. Restraining devices will be removed from prisoners inside that detention facility.
- c. Deliver all applicable arrest forms to the receiving officer.
- d. Obtain a signature for receipt of the prisoner.

## E. Handling or Transferring Prisoners of Other Local Police Agencies

- 1. When arresting an individual on a warrant issued by another local police agency, the officer will:
  - a. If the warrant was issued by a Hamilton County jurisdiction, except Mayor's Court, and citable, complete a Form 314, Notice to Appear, and cite according to Procedure 12.555, Arrest/Citation: Processing of Adult Misdemeanor and Felony Offenders.
  - b. Immediately arrange to transfer the prisoner into that agency's custody if the warrant is for Mayor's Court.
  - c. Transport to the HCJC Intake if the warrant is not citable.

- d. When an officer makes an original physical arrest and the individual has an outstanding warrant, list the information on a Form 527 and contact the appropriate jurisdiction to send a holder to Intake.
- e. Immediately arrange to transfer the prisoner into that agency's custody when arresting an individual on a warrant issued by an adjoining county.
  - 1) Contact the agency by phone to confirm the time and place of transfer. If possible, arrange to meet in the field.
  - 2) When bringing prisoners into a Cincinnati police facility to wait for the other agency, remain with the prisoner until the other agency takes custody or until relieved by a supervisor.

#### F. Prisoner Injuries

- 1. Officers will document prisoner injuries occurring before police control on a Form 527.
- 2. Per Procedure 12.545, Use of Force, a supervisor will complete an Form 18I, Injury to Prisoner, when a prisoner is injured, not the result of force, while under or just prior to police control.

#### G. Hospitalized Prisoners

- 1. If not citable, complete a Form 527. Include in the "Facts" section:
  - a. The name of the hospital.
  - b. A brief description of the injury, illness, or mental condition.
  - c. A complete description of the prisoner's clothing, and anything else to help identify or locate the subject in case of escape.

2. When a prisoner is hospitalized at University Hospital:
  - a. Notify the University Hospital Security.
    - 1) Complete holder forms when requested by hospital security.
    - 2) Write the phone number of Police Communications Section (PCS) on hospital holder forms and the yellow copy of Form 527.
    - 3) Ask hospital security to notify PCS before discharging the prisoner.
  - b. Staple the yellow copy of Form 527 to the top copy of the holder form and request hospital security keep them with the prisoner for the next transporting officer. Hospital holder forms stay at the hospital.
  - c. Refer to Procedure 12.610, Prisoners: Guarding Hospitalized, for guidelines in guarding prisoners at University Hospital.
3. When a prisoner is hospitalized at any other hospital:
  - a. Notify hospital security.
  - b. Request hospital security keep the yellow copy of Form 527 with the prisoner for the next transporting officer.
  - c. Write the phone number of PCS on the yellow copy of Form 527.
  - d. Ask hospital security to notify PCS before discharging the prisoner.
4. Processing Form 527
  - a. During normal business hours - Monday through Friday from 0800 to 2400 hours, immediately deliver the Form 527 and complaints/warrants to the Records Section, 824 Broadway, 4th floor.

- 1) Records Section will immediately enter the arrest information into the computer, placing the case on the next available court docket.
    - a) Officers will remain at the Records Section and hand deliver the completed forms to the Hamilton County Clerk's Office.
  - b. For all other times (Monday through Friday from 2400 to 0800 hours, weekends, and Holidays); immediately deliver Form 527 and complaint/warrants to the Hamilton County Justice Center (HCJC) Intake.
    - 1) HCJC will make a computer entry of the hospitalized prisoner case information, placing it on the next available court date.
      - a) HCJC will deliver completed forms to the Hamilton County Clerk's Office.
  - c. For juvenile prisoners, immediately deliver the Form 527 and complaints/warrants to the Juvenile Court Clerk's Office, 2020 Auburn Avenue.
5. Prisoners released from hospitals.
- a. PCS will dispatch a uniformed unit from the district where the hospital is located.
    - 1) If the prisoner was treated at the emergency room only, PCS will dispatch a uniformed unit from the arresting officer's district/section.
  - b. Transporting officers will:
    - 1) Contact hospital security to get the yellow copy of the original Form 527.
    - 2) Query the prisoner through RCIC/NCIC.



- 3) Contact the Hamilton County Clerk's Office to check for any new charges filed on the prisoner.
- 4) Contact the Central Warrant Processing Unit (CWPU) to determine if the court issued a capias on the prisoner.
  - a) If a capias was issued for the original charge, complete a new Form 527.
  - b) Attach the yellow copy of the old Form 527 to the new Form 527.
- 5) Unless the prisoner has a capias, the only paperwork needed for transportation is the yellow copy of the original Form 527.
- 6) Handcuff, search, and transport hospitalized prisoners the same as original arrests.

#### H. Prisoner Escapes

1. Immediately notify PCS.
2. PCS will make an all county broadcast (ACB) and include the following information:
  - a. A complete description of the prisoner
  - b. Method and direction of travel if known
  - c. Offense the subject was in custody for
  - d. Prisoner's home address or other possible destination
  - e. Any other pertinent information
3. Notify a supervisor.
4. The investigating supervisor will notify the involved district/section/unit OIC. Notify the Night Chief during the night season.

5. The OIC of the involved district/section/unit will submit a Form 17 to the Police Chief detailing the circumstances of all prisoner escapes and attempts.
  6. File appropriate charges against the escapee.
- I. Transporting Sick, Injured, or Disabled Prisoners
1. Sick or Injured Prisoners.
    - a. If a prisoner becomes sick or injured subsequent to arrest, officers will immediately seek medical attention.
    - b. Prisoners will remain handcuffed if possible.
    - c. If possible, transport the prisoner to University Hospital and notify a supervisor
    - d. If the illness or injury requires EMT or paramedics summon the Fire Department to render aid and transport the prisoner to the hospital.
      - 1) Notify a supervisor and another unit if transporting unit is one-person
      - 2) One officer will remain with the prisoner while the other responds to the hospital in non-emergency status.
  2. Transporting Physically and Mentally Disabled Prisoners
    - a. Officer will transport physically and mentally disabled prisoners using a vehicle appropriate for providing the necessary care for the prisoner.
    - b. If a patrol vehicle is not appropriate consider using the following:
      - 1) Scout Car
      - 2) Prisoner Van

## 13.100 FIELD TRAINING OFFICER PROGRAM

### ***Reference:***

Standards Manual 33.1.5, 33.4.3, 35.1.3  
FOP/City Labor Agreement

### ***Definitions:***

**Probationary Police Officer (PPO)** - a sworn employee with the Department who is under provisional status. The PPO will have a one-year probationary period from the date of being sworn in as a Police Officer. Such Police Officer, in a probationary status, may be removed for cause prior to the time the employee has worked six (6) months. Such Police Officer in probationary status may be removed without right of appeal after the employee has worked six (6) months of his/her probationary period.

**Remedial training** - the instructional period beyond the minimum 12-week field training period. This restorative period of instruction is designed to enhance the employee's ability to perform job duties.

**Recruit Book** - a guideline and evaluation instrument designed to document performance ability and skill level for the PPO. This handbook provides an overall view of the police work accomplished by the PPO.

**Field Training Officer** - an experienced officer whose performance displays exemplary abilities, desire, and achievement. Their duties and responsibilities are to train the PPO during the probationary period enabling them to work a solo assignment.

### ***Purpose:***

Provide for a formal and uniform on-the-job training period.

Provide experience, guidance, and supervision so the probationary police officer may develop the knowledge, skill, and abilities to demonstrate a high degree of proficiency in judgment, conduct, appearance, job skills, problem solving and interpersonal relationship skills.

Aid in the evaluation of probationary personnel.

Serve as an aid in evaluating the Department's training program.

**Policy:**

The goal of the Field Training Officer program is to effectively train a probationary police officer to work a solo assignment in a safe, skillful, productive and professional manner.

The Field Training Officer has two primary responsibilities to his position; first is a responsibility to the community and second is that of a trainer and evaluator of the PPO.

**Procedure:**

- A. Forms Used in the Field Training Officer (FTO) Program:
  1. Cincinnati Police Department Daily Observation Report (Form 644)
    - a. Complete daily, even in the absence of the PPO.
  2. Beat Profile (Form 645)
    - a. The PPO will complete the form 645 prior to their completion of Phase II.
  3. FTO Sergeant's Weekly Report (Form 646A)
    - a. Field training sergeant will complete and turn in by the following Tuesday.
  4. Shift Commander's Review and Narrative Comments (Form 646B)
    - a. The shift commander will complete and turn in by the following Friday.
  5. Cincinnati Police Department FTO Final Evaluation Report (Form 647) is located in the back of the Recruit Book.
    - a. The primary FTO will complete the report at the end of Phase II of the officer's probationary period.
  6. Cincinnati Police Department Supervisor's Monthly Report (Form 647A)
  7. Cincinnati Police Department Evaluation of the FTO Report (Form 647B)

- a. The PPO will complete a separate report on the primary and secondary FTO at weeks 8, 13 and at the completion of probation.

B. Recruit Training Phases:

1. Phase I - Formal classroom instruction at the Training Section (approximately 24 weeks).
2. Phase II - District assignments with two different FTO's (primary and secondary) working power, second, and third shift for on-the-job training. (Minimum of 12 weeks)
  - a. Each segment of Phase II is to be completed on different shifts (recommended shifts are second, third and power). Recruits will not be assigned to first shift except in rare cases, with bureau commander approval.
    - 1) Weeks 0 - 3, Primary FTO
    - 2) Weeks 4 - 7, Secondary FTO
    - 3) Weeks 8 - 12, Primary FTO
  - b. The first week the PPO rides with the primary FTO is an observation week. This week is not included in the 12-week tabulation, and no evaluation reports are necessary.
  - c. All missed workdays, excluding regularly scheduled off days, will be made up before the PPO advances to Phase III.
3. Phase III - Commences when the PPO is released to regular assignment, and terminates at the end of the probationary period.

C. Responsibilities of the PPO:

1. Participate fully in Phase II of training. Failure to do so may require extension of the probationary period or failure of probation.
  - a. Time off is limited to emergency situations and will be made up during Phase II.

2. Completion of the Beat Profile Form 645 as required by the performance guidelines with the assistance of the FTO.
3. Completion of the FTO Evaluation Form 645B as required.

D. Duties of the FTO:

1. Attend the FTO Training Program at the Training Section.
2. Complete, sign, and review with the PPO on a daily basis the Form 644.
  - a. When completing Form 644, confer with the Field Training Sergeant regarding status of PPO.
  - b. In the event the PPO goes into remedial training, the primary FTO will continue to complete Form 644.
    - 1) The district commander may designate another FTO to fill out the forms if a schedule conflict occurs.
3. Have the PPO sign Form 644.
4. Complete and sign Form 647 on or before the completion of Phase II of the PPO's employment with the Police Department.
5. Direct, guide, explain, and demonstrate the fundamentals of police work so the PPO understands how and why duties are performed in a certain manner.
  - a. FTO's will allow the PPO's to perform tasks they are competent to handle and ready to assume.
  - b. FTO's will check all paperwork for completeness, accuracy, legibility, etc.
6. If the PPO is to be retained as a permanent employee, the primary FTO who spent the majority of the time, inclusive of the observation period, with the PPO will complete Form 647 and Recruit Book.

- a. The FTO is charged with the maintenance, care, custody and control of the Recruit Book.

7. The FTO will attend all scheduled meetings to discuss PPO's performance with all officers involved in the program.

E. Duties of the Field Training Sergeant:

1. Review and sign Forms 644, 645, 646A, and 647A. Make sure PPO signs Forms 644, 645, 646A, and 646B.
2. Confer with each FTO, at least weekly, about their PPO's progress.
3. Confer with the PPO's, at least weekly, to note their progress. Identify any strengths and/or weaknesses and develop a plan for improvement using form 647A.
4. Confer with the shift lieutenant weekly concerning the progress of the PPO using Forms 644, 646A, and 646B.
5. Use the Recruit Book as an aid in counseling the PPO. It should serve as an aid to correcting individual weaknesses in an effort to improve overall performance.
6. Ride with the PPO's to observe performance and document on Forms 646A and 647A.
  - a. A minimum of four hours riding/observation time during both Phases II and III of the PPO's training for a total of eight hours.
7. The Field Training Sergeant will attend all scheduled meetings to discuss PPO's performance with all officers involved in the program.

F. Duties of the Shift Lieutenant:

1. Review, comment on, and sign Forms 644, 645, 646A, 646B, and 647 and 647A.

2. Confer with the field training sergeant, field training officer, and probationary police officer on a weekly basis using Forms 644, 646A, and 646B, which have been completed before this meeting. Identify any weaknesses, attempt to establish their cause, and discuss possible corrective steps. Have PPO sign Forms 644, 646A, and 646B.
3. Forward Forms 644, 645, 646A, 646B, 647 and 647A to the district commander for review and approval.
4. Confer with the district commander within the last week of each 28-day work period or more frequently if necessary, concerning the progress of the PPO's assigned to the lieutenant's shift.
5. Confer with the district commander in the final evaluation process.
6. Assist the FTO's with special training in specific areas of the PPO's weaknesses.
6. Notify the FTO Coordinator of any problems where a PPO needs additional training.
  - a. Contact the FTO Coordinator when the PPO is assigned to a relief.
7. Ensure the FTO's and PPO's are assigned to the same off-day group during Phase II of training so they will work together as much as possible.
8. Forward a Form 17 to the Police Academy Director with a copy to FTO Coordinator regarding all assignments of FTO's and PPO's.
  - a. List the names and off day groups of the primary and secondary FTO's.
  - b. If there are changes made in the primary FTO send a Form 17 within the first week of Phase II showing the change.
  - c. If there are changes made in the secondary FTO send the Form 17 within the third week of Phase II showing the change.



9. Ensure the PPO's are rotated through the Neighborhood Officer Unit.
- G. Duties and Responsibilities of the District Commander:
1. Assist Police Academy Director and FTO Coordinator with selection and assignment of FTO's.
    - a. Recommend personnel for assignment as FTO's with input from the Police Academy Director using criteria outlined in section I.
    - b. Assign the PPO to the primary FTO with input from the Police Academy Director.
      - 1) Assign secondary FTO's and notify the FTO coordinator of the pairings.
    - c. After consultation with the Police Academy Director, remove an FTO from the program when necessary.
  2. Within the last week of each 28-day work period, or more frequently if necessary, confer with the shift lieutenant to determine problem areas. Consult with the Police Academy Director and FTO Coordinator to establish training programs within the unit to alleviate these problems.
    - a. This does not preclude training conducted at the Training Section, in response to a general problem that would benefit more than a few PPO's.
    - b. During Phase III of training, if attempts to train and counsel a PPO have been unsuccessful, initiate dismissal procedures.

- 1) This should start before the beginning of the 17th month of probation, to provide enough time for case documentation and preparation. This in no way prevents beginning dismissal procedures at an earlier or later date.
  3. Review and maintain a file containing copies of Forms 644, 646A, 646B, and 647.
  4. Review, approve, and forward to the FTO coordinator completed Forms 644, 646A, 646B, and 647 in a timely manner.
    - a. If the PPO has successfully demonstrated the ability to perform as a police officer, return the Recruit Book along with completed Forms 645, and 647 to the Training Section.
  5. Notify the Police Academy Director in writing with copies to FTO coordinator of changes in primary or secondary FTO's.
    - a. The notify must show the name of the PPO, the name of the previous and new FTO's, and indicate the FTO status (primary or secondary).
  6. Ensure the PPO's are rotated through the Neighborhood Officer Unit. They are to be assigned for a two-week period and must complete this assignment prior to starting Phase III.
- H. Duties and Responsibilities of the Police Academy Director and FTO Coordinator:
1. Direct and coordinate the activities of the FTO Program.
  2. Assemble the FTO Review Board for the review of Field Training Officers.
  3. The FTO Review Board will consist of the Police Academy Director, FTO Coordinator, the Police Department Psychologist, District Captain, FTO Supervisor and an FTO.

- a. The Police Academy Director, with input from the Patrol Bureau Commander and FTO Coordinator, will select an FTO supervisor and FTO to serve on the board for a period of one year upon approval by the Police Chief.
- b. Assemble the board bi-annually or more frequently if needed for the selection and retention of FTO's and to review the FTO program.
  - 1) The Board will review all applications from FTO's and prospective FTO's. The Training Academy Director will review the findings of the Board and make recommendations to the Police Chief.
  - 2) The Board may interview any prospective or present FTO they feel does not meet the standards outlined in section I and make recommendations to the Police Chief.
- 4. Review completed Forms 644, 645, 646A, 646B, 647A&B, and FTO Evaluation.
- 5. The FTO Coordinator will notify Police Communications Section (PCS) to remove the recruit (R) designation from the officer's car number.
- 6. The Police Academy Director and FTO Coordinator will take an active part in the final evaluation of each recruit and offer a substantiated opinion as to retention or separation of the recruit.
- 7. The recruit advisors will:
  - a. Assist the FTO Coordinator in identifying weaknesses in the recruit training and assist in remedial training.
  - b. Assist the FTO Coordinator with the maintenance of files, deadlines of reports and follow-ups on PPO's status.
  - c. Review with the FTO Coordinator completed Forms 644, 645, 646A, 646B, 647A and 647B.

## I. Criteria and Method for Selecting FTO

### 1. Factors to be considered in the selection of FTO's should include:

- Performance rating
- Attendance
- Driving record
- Commendations
- Assessment of past complaint history
- Disciplinary record
- Physical fitness
- Oral communication skills
- Judgement
- Job experience
- Attitude
- Maturity
- FTO experience
- Role model
- Knowledge of police procedures
- Writing skills
- Seniority

### 2. Selection process for choosing police officers, specialists, and sergeants for the FTO program:

#### a. The FTO Review Board must review and consider the following information for each applicant:

- 1) Seniority (in excess of three (3) years)
- 2) Personnel jacket information and Internal Investigation Section profile record of the past three years
- 3) Verification of information on application form

## J. FTO Insignia:

### 1. Only those officers on Training Section's list of active FTO's may possess and/or wear the FTO insignia.

#### a. Any officer removed from FTO status, regardless of the reason will immediately return the insignia to the FTO coordinator.

2. The insignia is worn on the left breast pocket flap of the nylon windbreaker, storm coat, Ike jacket or blouse. During warm weather, it is worn on the left shirt pocket flap. These are the only uniform items on which the insignia is to be worn.



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Edward Wolterman

May 6, 2003

Thomas H. Streicher, Jr.  
Police Chief  
Cincinnati Police Department  
310 Ezzard Charles Drive  
Cincinnati, OH 45214

Dear Chief Streicher:

We would like to express to you the support and gratitude of Tender Mercies for providing for the Citizen Police Academy for Mental Health Professionals. We had the opportunity to attend the first session January – March 2003 and found the classes to be interesting and informative. Once the classes were completed, we followed the recommendations from the academy to tour the 911 call center and do a ride along with a police officer. All of these experiences have been valuable for increasing our knowledge of the workings of and challenges faced by the Cincinnati Police Department.

Tender Mercies has had an ongoing positive relationship with Cincinnati Police for the past couple of years and we are committed to ongoing activities to maintain this relationship. Sergeant Steve Saunders and his neighborhood team are very supportive and help us out with problems large and small. Tender Mercies had six representatives present (residents, staff and board members) for the initial training on Community Problem Oriented Policing we have continued to participate on the Over The Rhine CPOP team. Tender Mercies has also participated in training officers who are part of the Mental Health Response Teams.

We both did a ride along last week with officers from District One. We were impressed with the professionalism and dedication of Officers Chatman and Givens would like to thank them and their supervisors for allowing us the opportunity to further our learning.

Please continue to provide these opportunities for interactions between citizens and police officers to strengthen relationships and improve communication. Tender Mercies supports these efforts and thanks you. Feel free to contact us if we can do more.

Sincerely,

Marcia Spaeth  
Chief Executive Officer  
639-7020

Mary Kirsch  
Chief Operations Officer  
639-7054